



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

1241127 - R8 SDMS

**JAN 17 2012**

Ref: 8ENF-RC

Governor Brian A. Schweitzer  
Office of the Governor  
Montana State Capitol Building  
P.O. Box 200801  
Helena, MT 59620-0801

Re: Notification of Remedial Investigation/Feasibility Study (RI/FS) Negotiations, Libby  
Asbestos Site (08-BC), Operable Unit 6 - The Burlington Northern and Santa Fe Railway  
Company (OU 6)

Dear Governor Schweitzer:

Pursuant to Section 104(b)(2) of CERCLA, this letter is informing you of negotiations concerning actions to be taken in response to a release or threatened release of hazardous substances at the Libby Asbestos Site (Site), located in Libby, Montana. The U.S. Environmental Protection Agency (EPA) will be negotiating an RI/FS at OU 6 of this Site with the Burlington Northern and Santa Fe Railway Company (BNSF). The Remedial Project Manager (RPM) for OU 6 of this Site is Rebecca Thomas. Should you require further technical information about the Site, you may contact Ms. Thomas at 303-312-6552.

The EPA is planning to conduct settlement negotiations with BNSF in hopes of reaching settlement in early 2012. The EPA plans for the settlement to include having BNSF conduct the RI/FS work on property that they currently own or where they have rights of way.

If the State Natural Resource Trustees have any natural resource damage claims to assert regarding this Site, please contact Lorraine Ross, Enforcement Attorney for the EPA, at 303-312-6888. Any questions regarding this letter may be addressed to Sharon Abendschan, Enforcement Specialist, at 303-312-6957.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelcey Land".

Kelcey Land, Director  
RCRA/CERCLA Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: Lorraine Ross, 8ENF-L  
Rebecca Thomas, 8EPR-SR  
Sharon Abendschan, 8ENF-RC





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*Concurrence Copy*

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Sincerely,

Kelcey Yarbrough Land, Director  
RCRA/CERCLA Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

8ENF-L  
Lynn Ross  
1/4/12

Thomas  
EPR-SR  
1/4/12

Sharon Abendschan  
8ENF-RC  
1/5/12

Lorraine Ross  
8ENF-RC  
1-5-12  
corrections

changes  
made  
1/10/12  
8ENF-RC

cc: Lorraine Ross, 8ENF-L  
Rebecca Thomas, 8EPR-SR  
Sharon Abendschan, 8ENF-RC

